IN THE UNITED STATES DISTRICT COURCLERK'S OFFICE
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION
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JOANN PELLETIER
Plaintiff

U.S. BISTRICT COUNTY

v.

: CIVIL ACTION NO. 05-30109 MAP

SANDRA TALBOT and

CHITRA PUBLICATIONS, et. al., Defendants

ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIM

And now, this 14th day of May, 2006, come Defendants, Chitra

Publications, Chariot Publishing, Inc., Christian Meunier d/b/a Moon Over Mountain, by
and through their attorney, Joseph D. Buckley, Esquire, and Answers Plaintiff's

Amended Complaint and Counterclaims as against Plaintiff as follows:

ANSWER

- 1. Admitted.
- 2. Admitted in part, denied in part. It is admitted that at all times pertinent to this Amended Complaint, Defendant Chitra Publications ("Chitra") was a Pennsylvania limited partnership having as its general partner Defendant Chariot Publishing, Inc., a Pennsylvania corporation, ("Chariot") and that said limited partnership was the publisher of magazines and books in interstate commerce throughout the United States at such a level that would subject it to the personal jurisdiction of

this Honorable Court. It is denied that this Honorable Court has personal jurisdiction over Defendant Christaine Meunier ("Meunier"), simply based on her status as an officer in a Pennsylvania corporation.

- 3. The averment in this paragraph state a legal conclusion to which no response is required.
- 4. Admitted.
- 5. It is admitted that Plaintiff is a resident of the address alleged, however, it is denied that she is the author and owner of copyrights in the design and the pattern of a quilt.
- 6. Admitted.
- 7. Denied in part and admitted in part. It is denied that Chitra is a corporation. The remaining portion of the averment is admitted.
- 8. Denied but for clarification purposes Chitra is a Pennsylvania Limited Partnership and Chariot is the general partner of Chitra. Chariot is a Pennsylvania corporation.
- 9. Admitted.
- 10. Denied.
- 11. It is admitted that Meunier is a partner in a Pennsylvania Partnership doing business as Moon Over Mountain at the address averred. It is denied that it publishes books and magazines. Moon Over Mountain is a wholesaler of books and magazines generally published by others. Since 2005, it has published eight (8) books relating to quilting. It has no retail operations but does maintain a website through which items may be ordered.
- 12. Defendants repeat and re-allege their answers to Paragraphs 1-11 above.

- 13. Denied.
- 14. Denied.
- 15. Denied.
- 16. Defendants are unable to ascertain the truth or falsity of this averment as it relates to matters between Plaintiff and another Defendant therefore specific proof is hereby demanded.
- 17. Defendants are unable to ascertain the truth or falsity of this averment as it relates to matters between Plaintiff and another Defendant therefore specific proof is hereby demanded.
- 18. Defendants are unable to ascertain the truth or falsity of this averment as it relates to matters between Plaintiff and another Defendant therefore specific proof is hereby demanded.
- 19. Denied.
- 20. Defendants are unable to ascertain the truth or falsity of this averment as it relates to matters between Plaintiff and another Defendant therefore specific proof is hereby demanded.
- 21. Denied.
- 22. Denied.
- 23. Defendants repeat and re-allege their answers to Paragraphs 1-23 above.
- 24. Admitted in part, denied in part. On or about August 2003 Chitra with the written permission and pursuant to a prior written agreement with Defendant Talbot published a photograph, taken by Chitra's photography staff, of a quilt created by Defendant Talbot. Following the review and study of the actual quilt made by

Defendant Talbot and the photographs of the same, the professional staff of writers employed at Chitra developed a method to recreate the quilt based on the writers' understanding and knowledge of quilt making. In August 2003 neither Chitra nor any of its employees, partners, agents, nor any acting on its behalf had specific knowledge of nor access to any written text or written pattern allegedly authored by Plaintiff relating to Plaintiff's method for creating a quilt. At no time did Chitra, Chariot or Meunier use or copy any tangible item, quilt, quilt design or text used to create the same which had been created or authored by Plaintiff. As more fully set forth in their counterclaims below, on October 28, 2003, Chitra was issued a Certificate of Copyright for the issue of its magazine "QuiltWorks Today" Issue #4, in which its photograph and pattern of Defendant Tabolt's quilt appeared.

- 25. Denied as stated. It is admitted that Defendant Chitra, with the prior written permission of the creator of a quilt and pursuant to a written contract, published a photograph of a quilt created by Defendant Talbot and also written instructions for creation of the similar quilt independently authored by Chitra's employees.
- 26. Denied.
- 27. It is admitted that Plaintiff telephoned the offices of Chitra regarding Chitra's publication of the quilt created, pieced by Defendant Talbot and machine quilted by Janis Gilbert. It is admitted that Plaintiff claimed that the "Courthouse Step" block was her original design and that Defendant Talbot had taken a quilting class with Plaintiff. Chitra informed Plaintiff that it had no knowledge of Plaintiff or any of Plaintiff's work and inquired whether Plaintiff would like to submit photographs of any quilt Plaintiff had made for review by Chitra. Chitra also

informed Plaintiff that it had not previously been made aware of any relationship between Plaintiff and Defendant Talbot, any copyrights that Plaintiff had to the "Courthouse Step" quilt block and the basic border layout used, and also requested a copy of any written design for making the quilt which was alleged to have been used by Defendant Talbot together with any finished quilts or quilt tops of the claimed design made by Plaintiff. Plaintiff acknowledged to Chitra that she had never made or completed a quilt or quilt top using the "Courthouse Step" blocks, but had mad about five small blocks.

- 28. Admitted.
- 29. Admitted.
- 30. Denied.
- 31. Denied.
- 32. Denied.
- 33. Defendants repeat and re-allege their answers to Paragraphs 1-33 above.
- 34. Denied.
- 35. Denied
- 36. Defendants repeat and re-allege their answers to Paragraphs 1-35 above.
- 37. Admitted.
- 38. Denied.
- 39. Denied.
- 40. Defendants repeat and re-allege their answers to Paragraphs 1-39 above.
- 41. Admitted.
- 42. Denied.

43. Denied.
44. Defendants repeat and re-allege their answers to Paragraphs 1-44 above.
45. Denied.
46. Denied.
47. Defendants repeat and re-allege their answers to Paragraphs 1-46 above.
48. Denied.
49. Denied.
50. Denied.
51. Denied.
52. Denied.
53. Defendants repeat and re-allege their answers to Paragraphs 1-52 above.
54. Denied.
55. Denied.
56. Denied.
57. Defendants repeat and re-allege their answers to Paragraphs 1-56 above.
58. Denied.
59. Denied.
60. Defendants repeat and re-allege their answers to Paragraphs 1-59 above.
61. Denied.
62. Denied.
63. Denied.
64. Denied.
65. Denied.

66. Defendants repeat and re-allege their answers to Paragraphs 1-65 above.
67. Denied.
68. Denied.
69. Denied.
70. Denied.
71. Denied.
72. Denied.
73. Defendants repeat and re-allege their answers to Paragraphs 1-72 above.
74. Denied.
75. Denied.
76. Defendants repeat and re-allege their answers to Paragraphs 1-76 above.
77. Denied.
78. Denied.
79. Denied
80. Denied.
81. Denied.
82. Defendants repeat and re-allege their answers to Paragraphs 1-82 above.
83. Denied.
84. Denied.
85. Denied.
86. Denied.
87. Defendants repeat and re-allege their answers to Paragraphs 1-86 above.
38. Denied.

89. Denied.	
90. Denied.	
91. Denied.	
92. Defendants repeat and re-allege their answers to Paragraphs 1-92 above.	
93. Denied.	
94. Denied.	
95. Denied.	
96. Denied	
97. Defendants repeat and re-allege their answers to Paragraphs 1-96 above.	
98. Denied.	
99. Denied.	
100. Denied	
101. Denied.	
102. Defendants repeat and re-allege their answers to Paragraphs 1-102 above.	
103. Denied.	
104. Denied.	
105. Denied	
106. Denied.	
107. Defendants repeat and re-allege their answers to Paragraphs 1-106 above.	
108. Denied.	
109. Denied.	
110. Denied	
111. Denied	

112. Defendants repeat and re-allege their answers to Paragraphs 1-111 above.
113. Denied.
114. Denied.
115. Denied.
116. Denied
117. Denied.
118. Defendants repeat and re-allege their answers to Paragraphs 1-117 above.
119. Denied.
120. Denied.
121. Denied
122. Denied.
123. Denied
124. Defendants repeat and re-allege their answers to Paragraphs 1-123 above.
125. Denied.
126. Denied
127. Denied.
128. Denied.
129. Denied.
130. Defendants repeat and re-allege their answers to Paragraphs 1-129 above.
131. Denied
132. Denied.
133. Denied.
134. Denied

135. Denied.

FIRST AFFIRMATIVE DEFENSE

136. This Honorable Court lacks personal jurisdiction over Christiane Meunier simply by virtue of her being an officer of Chariot and, therefore the complaint and counts Plaintiff avers against her in such capasity must be dismissed and brought in the proper jurisdiction.

SECOND AFFIRMATIVE DEFENSE

137. Plaintiff is not the author of the alleged copyrighted material and, therefore, lacks standing to assert infringement of that copyright.

THIRD AFFIRMATIVE DEFENSE

138. Plaintiff misrepresented facts and information to the Copyright Office and therefore her filing was improper and invalid.

FORTH AFFIRMATIVE DEFENSE

139. Plaintiff's alleged authored work is a copy of previously copyrighted work of others.

FIFTH AFFIRMATIVE DEFENSE

140. Plaintiff's alleged work lacks the requirement of creativity as required by the law.

SIXTH AFFIRMATIVE DEFENSE

141. Plaintiff's alleged copyright is derived from previously copyrighted material to which Plaintiff had access.

SEVENTH AFFIRMATIVE DEFENSE

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142. Plaintiff has attempted to copyright an idea, not the physical representation of that idea and therefore any registration or claim to copyright is invalid.

EIGHTH AFFIRMATIVE DEFENSE

143. Plaintiff has attempted to copyright designs and methods for placing those designs in a quilt which are in and have been in the public domain, and therefore any claim to copyright or any registration filed or received is invalid.

NINTH AFFIRMATIVE DEFENSE

144. Plaintiff's assertion of copyright infringement constitutes misuse of alleged intellectual property rights for an anti-competitive purpose and, therefore Plaintiff's claims are barred by the doctrine of misuse.

TENTH AFFIRMATIVE DEFENSE

145. At no time prior to Chitra's publication of a photographs of Defendant's Talbot's quilt, prior to Chitra independently creating a pattern for Defendant Talbot's quilt or prior to Chitra's obtaining a copyright for the photographs and pattern did Chitra know of the existence of Plaintiff, of Plaintiff's alleged copyrighted design or pattern, or of Plaintiff's alleged written instructions.

ELEVENTH AFFIRMATIVE DEFENSE

146. Chitra independently developed a pattern similar to the alleged copyright of Plaintiff, filed its Copyright Registration and received a copyright therefore prior to Plaintiff filing for registration.

TWELTH AFFIRMATIVE DEFENSE

147. Plaintiff has failed to state adequate grounds for relief as against Chitra, Chariot and Meunier.

THIRTEENTH AFFIRMATIVE DEFENSE

148. At no time prior to Chitra's publication of a photographs of Defendant's Talbot's quilt, "Just Spooling Around", prior to Chitra independently creating a pattern for Defendant Talbot's quilt, "Just Spooling Around", nor prior to Chitra's obtaining a copyright for the photographs of and pattern for "Just Spooling Around" did Chitra know of the existence of Plaintiff, have access to Plaintiff's alleged copyrighted design or pattern, or have access of Plaintiff's alleged written instructions.

NEW MATTER - COUNTERCLAIM AGAINST PLAINTIFF

Background

- 149. At all times pertinent to this matter, Chitra Publications, a Pennsylvania limited partnership, was in the business of publishing, sale and distribution of magazines and books relating to quilting. And Christiane Meunier is a partner in a Pennsylvania partnership d/b/a Moon Over Mountain which is a wholesaler and retailer of books, magazines and quilting related items including the entire inventory of books and magazines formerly published by Chitra Publications.
- 150. Quilting is the technique of piecing cut pieces of selected fabric, of the similar or different shapes, together to create a quilt top, or to appliqué pieces of cut fabrics on top of a large piece of fabric to then create a quilt top. Once the top is

constructed either through the piecing or appliqué technique, it is placed on top of two of the three other components of a quilt: the backing and batting. Backing is the outside layer of a quilt generally made of large pieces of fabric or sewn pieces of fabric. Batting is the middle layer made generally from cotton, polyester, silk, wool or a combination of any of them. The final component is the quilting: the thread used to bind the three layers together. The quilting may be completed in a design, straight or curved lines and depending on the skill of the quilter and the thickness of the three layers, may be performed by hand or machine and the quilt stitches may be anywhere from two to twenty stitches to the inch.

- 151. Quilts have been a part of American history since the birth of our nation and have been created by men and women for utilitarian purposes using scraps of fabric and from discarded clothing, and for decorative purposes using cotton, wool, linen, chintz, silk and velvet fabrics.
- 152. Quilts have been made from commercial patterns published by others, from lessons taught by a family members or friend, from the thousands of published books and articles written on the subject, from classes and lectures offered by teachers, quilt shops and quilt guilds to students desiring to learn the craft, from the original work of fabric artists whose creative and innovative designs grace the many exhibits and quilt museums.
- 153. Quilts come in multitude of shapes, sizes, colors and patterns and there are currently over five million people in the United States who are engaged in quilting.

- 154. In 2000, Chitra had been publishing magazines devoted to the growing quilt market and published three separate magazines devoted to quilting: Quilting Today, Traditional Quiltworks and Miniature Quilts.
- 155. Each of Chitra's quilt related magazines were published in multiple issues each year and its many articles ranged from interviews with nationally known quilters to photographs and patterns for contemporary, traditional and antique quilts.
- 156. Chitra received hundred of photographs from quilters across America asking that their quilt be selected to be shown in the magazine.
- 157. Chitra also had subscribers of its magazines act as "quilt scouts".
- 158. The said "quilt scouts" would photograph quilts being displayed at public exhibitions of quilts, usually at local, regional and national quilt shows, which the quilt scouts believed might be appropriate for inclusion in one of the quilt related magazines published by Chitra.
- 159. In March of 2000, Sara Fredette, a Chitra "quilt scout", visited a public display of quilts sponsored by the Pioneer Valley Quilter's called "Pieces of Time" held in Agawam, Massachusetts and photographed a quilt entitled "Just Spooling" Around," made by Defendant Talbot.
- 160. After Sara Fredette took a photograph of Defendant Talbot's quilt, she sent the photograph of the quilt to Chitra, noting on the back of the photograph, among other things, that the maker was Sandra M. Talbot of Longmeadow, MA.(A true and correct copy of the front and back of the photograph is attached hereto and marked Exhibit "A")

- 161. Thereafter members of the editorial staff reviewed the photograph, gave the quilt a favorable review, ascertained the address of Sandra Talbot and noted on the reverse of the photograph and on April 28, 2000 Chitra, by letter contacted Defendant Talbot concerning the possible inclusion in its publications. (A true and correct copy of the letter is attached hereto and marked Exhibit "B")
- 162. Enclosed with the said letter was a blank quilt questionnaire.
- 163. On February 21, 2001, having not heard from Defendant Talbot, Chitra sent a second letter and second copy of the Quilt Questionnaire to Defendant Talbot. (A true and correct copy of the letter is attached hereto and marked Exhibit "C")
- 164. On May, 2002, having not heard from Defendant Talbot, Chitra sent a third letter and third copy of the Quilt Questionnaire to Defendant Talbot. (A true and correct copy of the letter is attached hereto and marked Exhibit "D")
- 165. Any quilter whose quilt may appear in an issue of any magazine published by

 Chitra is sent a two page quilt questionnaire relating to the quilt so that Chitra and

 its editors may show and/or create and publish a pattern for the quilt.
- 166. The said questionnaire, among other things, requests the name address and phone number of the owner of the quilt, the title of the quilt, information regarding the design and its origin.
- 167. The said questionnaire specially informs the quilt owner that a member of Chitra's professional staff will create a pattern from the quilt, but if the quilt has been made from a published design, made from a pattern or is an interpretation of someone else's design that Chitra will not show the quilt or create a pattern without permission from the publisher, designer or quilt maker.

- 168. If the owner is aware that the quilt has been made from a published pattern or from the interpretation of someone else's design, the said questionnaire requests the name of the quilt designer or quilt maker, the year the pattern, if any, was published and by whom and any known addresses of such persons or publishers.
- 169. The said questionnaire requests information about the actual quilt, its size and description, whether it had been published and also information about the quilter.
- 170. The said questionnaire then has many separate spaces for the person submitting the quilt to sign agreeing to grant Chitra the right to create and publish a pattern for the quilt and to show the quilt in its magazine any future publications and on its various websites and guaranteeing that the quilt "is in no way an infringement on the rights of others and that the material may be published without additional approval."
- 171. Upon receipt of a completed and signed questionnaire and agreement, if the submitter indicates that the quilt was made using a pattern or made from an interpretation of someone else's design, Chitra will not accept the quilt for its magazine unless the publisher of the pattern or creator of the design is identified and contacted and written permission received to show the quilt and to create a pattern from the quilt. If either the publisher or designer can not be identified or if identified, does not consent in writing to permit the publication of the quilt and the creation of the pattern, the submission is rejected and quilt will not be shown nor a pattern created.

- 172. On or about September 20, 2002, Chitra received a quilt questionnaire completed and signed by Defendant Talbot relating to her quilt "Just Spooling Around". (A true and correct copy of which is attached hereto and marked Exhibit "E")
- 173. Defendant Talbot represented that "Just Spooling Around" was Defendant Talbot's personal "interpretation of a traditional design called Courthouse Step Log Cabin."
- 174. Following the review of her quilt questionnaire, by letter dated October 28, 2002, Chitra informed Defendant Talbot that it desired to pattern her quilt and show it, and publish the pattern in a future issue of its magazine. (A true and correct copy of which is attached hereto and marked Exhibit "F").
- 175. In January 2003, Chitra discontinued its three former publications and introduced a new magazine entitled "QuiltWorks Today."
- 176. By letter dated January 21, 2003, Chitra requested Defendant Talbot ship her quilt "Just Spooling Around" to Chitra to enable Chitra to create a pattern for the quilt and also to have it professionally photographed.
- 177. Thereafter Defendant Talbot shipped her quilt "Just Spooling Around" to Chitra which photographed the quilt and had its professional staff of quilt pattern writers develop a pattern for the quilt top using two separate methods of quilt making: pieced method and foundation method.
- 178. On March 23, 2003, Chitra returned the quilt "Just Spooling Around" to Defendant Talbot.
- 179. On May 20, 2003, Chitra sent Defendant Talbot a preliminary prepress copy of the caption to be used for "Just Spooling Around" which was scheduled to be

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- published in QuiltWorks Today, Issue #4. (A true and correct copy of which is attached hereto and marked Exhibit "G")
- 180. In the October/November Issue of QuiltWorks Today, Issue #4, Chitra published a copy of the photograph of Defendant Talbot's quilt "Just Spooling Around" and the pattern to create the said quilt which had been created by Chitra's pattern design editors ("Chitra's copyrighted pattern")(A true and correct copy is attached and marked Exhibit "H").
- 181. On October 28, 2003 following submission of the October/November issue of QuiltWorks Today Issue #4 to the United States Copyright Office, Chitra received a Certificate of Copyright for said Issue #4 which included the Chitra's copyrighted pattern. (A true and correct copy of which is attached hereto and marked Exhibit "I")
- 182. In December 2003, Chitra selected "Just Spooling Around" and Chitra's copyrighted pattern to appear in a quilt pattern book, later titled "My Favorite Scrap Quilts", and by letter dated December 10, 2003, informed Defendant Talbot that her quilt was selected for the new publication. (A true and correct copy of which is attached hereto and marked Exhibit "J")
- 183. In February 2004, Defendant Talbot was requested to ship and did ship her quilt "Just Spooling Around" to Chitra for inclusion on a proposed cover for the new book, later titled "My Favorite Scrap Quilts".
- 184. Thereafter, Chitra utilized its former copyrighted photograph of Defendant Talbot's quilt and Chitra's copyrighted pattern of the quilt, together with a new photograph of the said quilt together with many other of its copyrighted

photographs and copyrighted patterns of quilts made or owned by other quilt makers to created the book entitled "A Few of My Favorite Scrap Quilts." (A true and correct copy of the cover of the said book and the pages relating to Chitra's copyrighted photographs of and copyrighted pattern for Sandra Talbot's quilt "Just Spooling Around" are attached and marked Exhibit "K")

- 185. On September 17, 2004 following submission of its book entitled A Few of My Favorite Scrap Quilts, and additional communications and correspondence to the United States Copyright Office, Chitra received a Certificate of Copyright for said book which included the Chitra's copyrighted photograph and pattern. (A true and correct copy of which is attached hereto and marked Exhibit "L")
- 186. In 1992, Janet Kime a quilter and author from Lashon Island, Washington released her 153 page book entitled "Log Cabins: New Techniques for Traditional Quilts." (A true and correct copy of the cover and title page of the Book are attached hereto and marked Exhibit "M")
- 187. On pages 41 through pages 43 of said book, Kime sets forth methods for using this traditional pattern commonly called "Courthouse Steps" in various ways to create finished quilts including one entitled "Yellow Spools" and one entitled "Amish Spools." (A true and correct copy of the said pages 41-44 of the book are attached hereto and marked Exhibit "N")
- 188. On page 67of said book, Kime shows "Amish Spools" created by quilter Virginia Morrison of Seattle Washington in 1991, and on page 70 of said book, Kime shows "Yellow Spools" created by Lorraine Herge of Concord, North Carolina and

- Janet Kime in 1991. (A true and correct copy of the said pages 67 and 70 of the book are attached hereto and marked Exhibit "O")
- 189. Sometime after the said Kime book was published, Plaintiff purchased or otherwise procured a copy of the said book, and without the permission of the author and of the publisher, began copying the patterns and instructions from the said book for use in Plaintiff's quilting classes.
- 190. In late 1992 or early 1993 Plaintiff held lectures and classes relating to the history of log cabin quilts and while discussing variations of the use of the block called "Courthouse Steps" and Log Cabin Spools acknowledged that the designs had been copied by Plaintiff from the said Kime book. (A true and correct copy of the said hand out prepared by Plaintiff and obtained from Plaintiff during discovery is attached hereto and marked Exhibit "P")
- 191. At some time later Plaintiff removed the reference to the said Kime book from her written handouts and began crediting herself for the "Spools" design and pattern even though Plaintiff continued to copy from the said book without written permission from author, Janet Kime.
- 192. At some time after purchasing the said Kime Book, Plaintiff did piece together a few "courthouse step" blocks using the "spools" pattern and design found in the Kime book.
- 193. At no time prior to Defendant Talbot's creation of her quilt "Just Spooling Around", or prior to Chitra's independent creation of its copyrighted pattern of the same and its copyrighted photographs of the same and the publication of them in

- its magazine and book, had Plaintiff ever created a quilt top or finished quilt using the "spool design."
- 194. In 2004 Plaintiff contacted Chitra claiming that Defendant Talbot's quilt was made from Plaintiff's original design.
- 195. Chitra inquired of Plaintiff if she had even ever made a quilt using the design and pattern she claimed to have authored and she admitted she had not.
- 196. Chitra and its then staff of more than twenty quilt experts determined that Plaintiff's claim was without merit and informed Plaintiff of the same and the lack of merit to her assertions.
- 197. Later Plaintiff had her attorneys write a letter to Chitra requesting it cease and desist from publishing Chitra's copyrighted magazine and copyrighted book alleging the quilt and the pattern had been copied from Plaintiff and infringed on Plaintiff's alleged original design and pattern.
- 198. In response to the letter and the demands of Plaintiff and her attorneys, Chitra's Executive Editor, Meunier, again informed Plaintiff and her counsel that Plaintiff's claim had no merit and that they should fully research the history of the Courthouse step block and the variations existing in the multitudes of examples in existence. (A true and correct copy of the letter is attached and marked Exhibit "Q")
- 199. With full knowledge that she had copied the pattern and design from a book authored by Janet Kime, Plaintiff and/or her attorneys made demands for money from Chitra.

- 200. Plaintiff and her attorneys made demands from Chitra for free advertisement including an article regarding Plaintiff and her alleged original design and pattern at a time when Plaintiff and/or her attorneys had specific prior knowledge that the pattern and design had been copied by Plaintiff from another author's book.
- 201. With full knowledge that she had copied the design and pattern from books authored by others, Plaintiff made a copy of the design and pattern and in September 2004 submitted the same to the United States Copyright Office.
- 202. Plaintiff did not credit the author from whom she had copied the pattern and design she alleged was her original design nor did she inform the said Copyright Office of h this fact.
- 203. Knowing that it was false, and acting with malice and with the intent to cause financial harm to Chitra, Plaintiff represented to members of the public that Chitra had was violating the law and infringing on a design created by her and that they should refrain from purchasing magazines or books from Chitra.
- 204. Knowing that it was false and acting with malice and with the intent to cause financial harm to the Christiane Meunier and the partnership Moon Over Mountain, Plaintiff represented to members of the public that Moon Over Mountain had and was violating the law and infringing on a design created by her and that they should refrain from purchasing magazines or books from Moon Over Mountain
- 205. Plaintiff's actions were malicious.

- 206. As a direct result of Plaintiff's statements to others and Plaintiff's maliciously false accusations, Chitra lost sales of its magazine and books, in an amount not in excess of twenty-five thousand dollars.
- 207. Chritiane Meunier d/b/a Moon Over Mountain as a direct result of Plaintiff's statements to others and Plaintiff's maliciously false accusations, has lost sales of its magazines and books, in an amount not in excess of twenty-five thousand dollars

COUNT I – DEFAMATION AGAINST CHITRA

- 208. Chitra, Chariot and Christiane Meunier d/b/a Moon Over Mountain repeat and reallege each allegation or statement contained in paragraphs 1-207 above.
- 209. Plaintiff's actions constitute business libel or trade libel as against Chitra and its general partner Chariot.
- 210. Plaintiff's actions were intentional, malicious and fraudulent rising to such a level that punitive damages are appropriate.
- 211. Defendants seek punitive damages in excess of twenty-five thousand dollars.

COUNT II – TORTIOUS INTERFERENCE WITH CONTRACTUAL RELATIONS AGAINST CHITRA

- 212. Chitra, Chariot and Christiane Meunier d/b/a Moon Over Mountain repeat and reallege each allegation or statement contained in paragraphs 1-211 above.
- 213. Plaintiff's actions constitute tortuous interference with contractual relations between Chitra and its general partner Chariot, and its potential customer base.

- 214. Plaintiff's actions were intentional, malicious and fraudulent rising to such a level that punitive damages are appropriate.
- 215. Defendants seek punitive damages in excess of twenty-five thousand dollars.

COUNT III – DEFAMATION AGAINST CHISTINAE MEUNIER d/b/a MOON OVER MOUNTAIN

- 216. Chitra, Chariot and Christiane Meunier d/b/a Moon Over Mountain repeat and reallege each allegation or statement contained in paragraphs 1-215 above.
- 217. Plaintiff's actions constitute business libel or trade libel as against Christiane Meunier d/b/a Moon Over Mountain.
- 218. Plaintiff's actions were intentional, malicious and fraudulent rising to such a level that punitive damages are appropriate.
- 219. Defendants seek punitive damages in excess of twenty-five thousand dollars.

COUNT IV - TORTIOUS INTERFERENCE WITH CONTRACTUAL RELATIONS AGAINST CHRISTIANE MEUNIER d/b/a MOON OVER MOUNTAIN

- 220. Chitra, Chariot and Christiane Meunier d/b/a Moon Over Mountain repeat and reallege each allegation or statement contained in paragraphs 1-219 above.
- 221. Plaintiff's actions constitute tortuous interference with contractual relations Christiane Meunier d/b/a Moon Over Mountain had or has with its potential customer base.
- 222. Plaintiff's actions were intentional, malicious and fraudulent rising to such a level that punitive damages are appropriate.
- 223. Defendants seek punitive damages in excess of twenty-five thousand dollars.

WHEREFORE Defendants and Counterclaimants Chitra, Chariot and Meunier pray that this Honorable Court dismiss any claims Plaintiff has made against them and award damages to them including costs of this suit including reasonable attorney fees pursuant to Section 505 of the Copyright Act (17 USCS § 505), and further that this Court find in their favor on their Counterclaims against Plaintiff and award each of them damages in excess of twenty thousand dollars.

Respectfully submitted,

gley, Esquire

Attorney for Defendants and Counterclaimants Chitra Publications, Chariot Publishing, Inc. and Christiane

Meunier

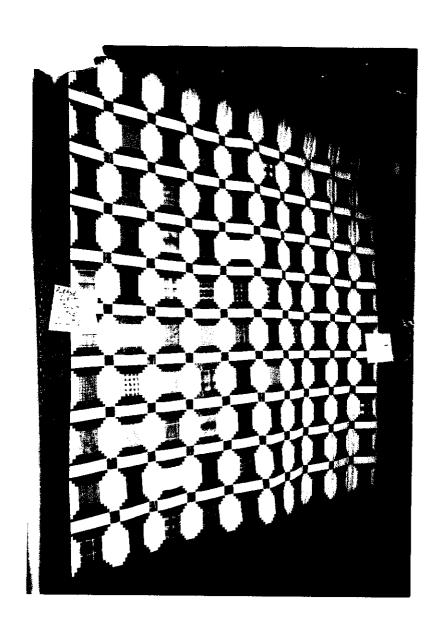
1237 Holly Pike

Carlisle, PA 17013-4435

JoeBLaw@aol.com

(717) 249-2448

EXHIBIT "A"



Sara Fredette

maker: Sandra M. Taibot Longmeadow MA

"Just Spooling Around"

Pieces of Time, W. Spfld

Samuel and the in program

May mount of the

EXHIBIT "B"



April 28, 2000

Sandra Talbot 15 Prynwood Road Longmeadow, MA 01106

Dear Ms. Talbot,

Chitra Publications, publisher of *Traditional Quiltworks*, *Quilting Today*, and *Miniature Quilts* magazines, is always on the look-out for new talent and beautiful work in the quilting world. To that end, we have readers who act as quilt scouts. They attend quilt shows around the country, seeking quilts for possible publication and photographing their findings.

One of our quilt scouts attended the Pieces of Time Show. Your quilt, "Just Spooling Around" was among the beautiful quilts photographed that day. Our editorial team is very interested in learning more about this quilt for possible publication. We cannot, however, schedule any quilt until we have learned more about it through a standard questionnaire. I have enclosed a questionnaire, and if you are interested in possible publication of your quilt, I would greatly appreciate it if you could fill it out and return it to me.

If you would ever like to share photographs of any of your other projects with us, our editorial team would love to see them. Thank you very much for your time, help, and interest. I hope to hear from you soon.

Kind Regards,

Shalane L Weidow Editorial Assistant

enc: Questionnaire

EXHIBIT "C"

February 21, 2001

Sandra Talbot 15 Prynwood Road Longmeadow, MA 01106

Dear Ms. Talbot,

This letter is a follow-up to our correspondence of April 28, 2000 regarding your quilt "Just Spooling Around." We are sorry we haven't heard from you yet.

Our editorial team is very interested in learning more about this quilt for possible publication. We cannot, however, schedule any quilt until we have learned more about it through a standard questionnaire. I have enclosed a questionnaire, and if you are interested in possible publication of your quilt, I would greatly appreciate it if you could fill it out and return it to me.

We look forward to receiving your questionnaire soon.

Kind Regards,

Shalane L Weidow Editorial Assistant

Enc: Questionnaire

EXHIBIT 66D??

Sandra Talbot 15 Prynwood Road Longmeadow , MA 01106

Dear Ms. Talbot,

This letter is a follow-up to our correspondence of February 21, 2001 regarding your quilt "Just Spooling Around." We are sorry we haven't heard from you yet.

Our editorial team is very interested in learning more about this quilt for possible publication. We cannot, however, schedule any quilt until we have learned more about it through a standard questionnaire. I have enclosed a questionnaire, and if you are interested in possible publication of your quilts, I would greatly appreciate it if you could fill it out and return it to me.

We look forward to receiving your questionnaire soon.

Kind Regards,

Shalane L Weidow Editorial Assistant

Enc: Questionnaire

EXHIBIT "E"

Document 26-7 Filed 05/16/2006





2 Public Avenue · Montrose, PA 18801 Phone: (570) 278-1984 · Fax: (570) 278-2223/ chitra@epix.net · WWW.QuiltTownUSA.com Traditional Quiltworks · Quilting Today · Miniature Quilts

Quilt Questionnaire
Please complete the following questionnaire to the best of your knowledge so Chitra Publications may show and/or publish a pattern for your quilt.
Name Sallan Tanadette Talent
Name SANDRA TOUCHETTE TALBOT Street Address or Box No. 15 PRYNAMMAD ROAD
Street Address or Box No. 15 PRYNNWOOD ROAD City LONGMEADOW State MASS Zip Code 0 / / 06 Phone/Fax No. 4/3 - 567-5/02 E-mail
Phone/Fax No. 4/3 - 5 6 7 - 5 / 0 2 F-mail
The contract of the contract o
1. Title of quilt: "JUST SPOOLING AROUND"
About your Design:
Patterns for original designs or interpretations of traditional designs may be published. A member of our staff usually writes pattern
directions. Interpretations of published designs require permission from the publisher.
2. My quilt is (please check only one):
a) pmy original design
a) my original design b) my interpretation of a traditional design called COURTHOUSE STEP LOG CABIN c) made using a nattern#
c) — made using a patient.
d) up interpretation of someone else's design*
* TC
* If you selected either c or d above, please provide the following information concerning your design source:
Pattern appeared in: magazine pattern packet book
a) Name of Quilt Designer / Quiltmaker
b) Publisher/Year
c) Address, if known
About your Quilt:
3. Width x Length: APPR nx 54" x 54" Finished Block Size: 4"
4. About your quilting design - The quilting design on my quilt is: IN THE DITCH
my original design made using a commercial pattern/stencil my interpretation of someone else's design
\mathcal{L}
5. Description of Quilt (colors, techniques, age, etc.): My QUILT IS BASICALLY A COURTHOUSE STEP LOG CABIN BLOCK, WITH 1/4" FINISHED "LOGS". T LOVED MAKING
STEP LOG CABIN BLOCK WITH 14" FINISHED "LOGS". I LOVED MAKING
HE SPORT BLOCKS, AND WHAT BEGAN AS A WALLHANGING
DUICKLY BECAME A QUILT OF 100 SPOOLS. I CHOSE STRIPES
(AS BEAUTIFULLY A MACHINE DULLTED BY TANKS AUSTIN GLICE OF
AS BEAUTIFULLY A MACHINE QUILTED BY JANIS AUSTIN GILBERT.
6. Has this quilt been submitted or shown in any other publications? yes no
f yes, please list the name(s) and date(s) of the publication(s):
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EXHIBIT 66F?



October 28, 2002

2 Public Avenue · Montrose, PA 18801 Phone: (570) 278-1984 · Fax: (570) 278-2223 chitra@epix.net · WWW.QuiltTownUSA.com Traditional Quiltworks · Quilting Today · Miniature Quilts

Sandra Touchette Talbot 15 Prynwood Road Longmeadow, MA 01106

Dear Ms. Talbot,

Thank you very much for filling out and returning our quilt questionniare. It has been a pleasure seeing and learning about "Just Spooling Around."

After reviewing your questionnaire, the editorial team has decided they would like to pattern this lovely quilt in a future issue of *Traditional Quiltworks* or *Quilting Today* magazine. Because we schedule our magazines well in advance of actual publication, it may be some time before you hear from us again. We will contact you when the issue your quilt is scheduled for goes into production. We will also request the quilt for professional photography at that time.

Our editors enjoyed seeing your work, and they hope you will share your future projects with us. Thank you again for working with us.

Kind Regards,

Shalane L Jarnagin Editorial Assistant

EXHIBIT "G"

May 20, 2003

Ms. Sandra Talbot 15 Prynnwood Road Longmeadow, MA 01106

Dear Sandra,

Enclosed is a preliminary prepress copy of the caption for "Just Spooling Around" which is scheduled to be published in QuiltWorks Today issue #4. Please look it over and make sure no vital information has been omitted, and return to me within two weeks.

Thank you for your cooperation and for sharing your talent with us. Sincerely,

Connie Ellsworth Editorial Department

Enc: pre-press copy

EXHIBIT "H"

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Sharyn Gaig's Design Challenge:

9.TIPS of for Quilting Fitness

EXCLUSIVE

Foundation Piecing Basics!

October/November 2003 Display until 11/10/03





The sachie etts of loves making scrap to the Schooling of plaid and street ground heat 12 squarer Sandra says to making making a says to make a waithanging set one had so much fun making to books that it turned into a quit of 100 spools." The quit was exportive machine quit our the ditch by Jan's a capert

Every quilter needs a collection of spools! -----





Sandra **Talbot**

Quilt Size: 54 1/2" square Block Size: 4" square



Yardage is based on fabric with a useable width of 40".

- 100 assorted prints, plaids, and stripes, each at least 3" square
- 25 brown prints, each at least 10" square
- 21 assorted black prints each at least 3" square
- 2 1/3 yards muslin
- 1 3/4 yards black stripe for the border
- 2/3 yard black print for the binding
- 3 1/2 yards backing fabric
- 59" square of batting
- foundation paper (optional - see page 28)

Cutting -

Dimensions include a 1/4" seam allowance.

Cut 100: 3" squares, assorted prints, plaids, and stripes

From each brown print:

NOTE: Separate each group of 8 strips into 2 piles of 4.

- Cut 8: 3/4" x 4 1/2" strips
- Cut 8: 3/4" x 4" strips
- Cut 8: 3/4" x 3 1/2" strips

From the muslin:

- Cut 180: 1 1/2" x 4 1/2" strips
- Cut 200: 3/4" x 4" strips
- Cut 200: 3/4" x 3 1/2" strips
- Cut 200: 3/4" x 3" strips

From the assorted black prints:

- Cut 81: 1 1/2" squares
- Also: Cut 4: 3 1/4" x 58" strips,
- black stripe, for the border
- Cut 6: 2 1/2" x 40" strips, black print, for the binding

Directions

- 1. Stitch a 3/4" x 3" muslin strip to a 3" print square. Chain stitch a 3/4" x 3" muslin strip to each of the remaining 3" squares.
- Clip the units apart.
- 3. Chain stitch 3/4" x 3" muslin strips to the opposite side of each square.
- 4. Clip the units apart and press the seam allowances toward the muslin. Trim the seam allowances to 3/16".



x 3 1/2" brown print strips to the square units, as shown. Use only 4 strips of each brown print. Clip the units apart.

5. Chain stitch 3/4"



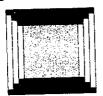
6. Chain stitch 3/4" x 3 1/2" matching brown print strips to the opposite side of each unit.



- 7. Clip the units apart and press the seam allowances toward the brown print. Trim the seam allowances to 3/16".
- 8. Chain stitch 3/4" x 3 1/2" muslin strips to the muslin sides of each unit. Press and trim, as before.
- 9. Chain stitch 3/4" x 4" matching brown print strips to each unit. Press and trim.



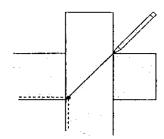
- 10. Chain stitch the 3/4" x 4" muslin strips to the muslin sides of each unit. Press and trim.
- 11. Chain stitch the 3/4" x 4 1/2" matching brown print strips to the remaining sides. Press and trim.





Assembly

- Lay out the blocks in 10 rows of 10. Place the 1 1/2" x 4 1/2" muslin strips between the blocks. Place the 1 1/2" black print squares between the muslin strips.
- 2. Stitch the horizontal muslin strips and black print squares into sashing rows.
- 3. Stitch the blocks and vertical strips into rows.
- Join the block rows and sashing rows.
- 5. Center and stitch the 3 1/4" x 58" black stripe strips to the sides of the quilt. Start, stop, and backstitch at the 1/4" seamline.
- 6. Miter the corners in the following way: With the quilt top right side down, lay one border over the other. Draw a straight line at a 45° angle from the inner to the outer corners.



Reverse the positions of the borders and mark another corner-to-corner line. With the borders right sides together and the marked seamlines carefully matched, stitch from the inner seamline to the outer corner, backstitching at each end. Open the mitered seam to make sure it lies flat, then trim the excess fabric and press.

7. Finish the quilt as described in the General Directions, using the 2 1/2" x 40" black print strips for the binding.

Just Spooling Around— FOUNDATION PIECING

Cutting

Fabric for foundation piecing will be cut as you stitch the blocks. Each piece should be at least 1/4" larger on all sides than the section it will cover. You may prefer to cut the brown prints into 3/4"-wide strips before piecing the blocks. Cut 3/4"-wide muslin strips after cutting the sashing strips.

Cut 100: 3" squares, assorted prints, plaids, and stripes, for the block centers

Directions

Follow the foundation piecing instructions on page 58 to complete the blocks.

- Piece each foundation in numerical order using the following fabrics in these positions:
 - 1 3" print, plaid, or stripe square
 - 2.3 muslin
 - 4, 5 brown print
 - 6, 7 muslin
 - 8, 9 same brown print
 - 10, 11 muslin
 - 12, 13 same brown print
- 2. Assemble the quilt as instructed in the pattern directions.
- 3. Remove the paper foundations after adding the borders. �

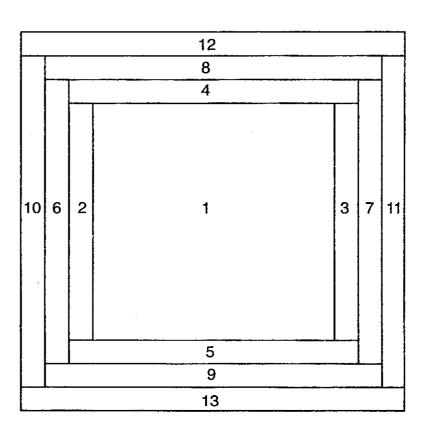


EXHIBIT "



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Commission Hein 18 and 18

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EXHIBIT ""

December 10, 2003

Ms. Sandra Talbot 15 Pynnwood Road Longmeadow, MA 01106

Dear Sandra,

Thank you for sharing your quilt "Just Spooling Around" with us in Issue #4 of QuiltWorks Today. It is a beautiful quilt.

We are planning a pattern book (for release in summer 2004) featuring some of our favorite quilts from past issues of the magazines. We would like to use your "Just Spooling Around" in this book. You would receive a complimentary copy of the book, once it is published.

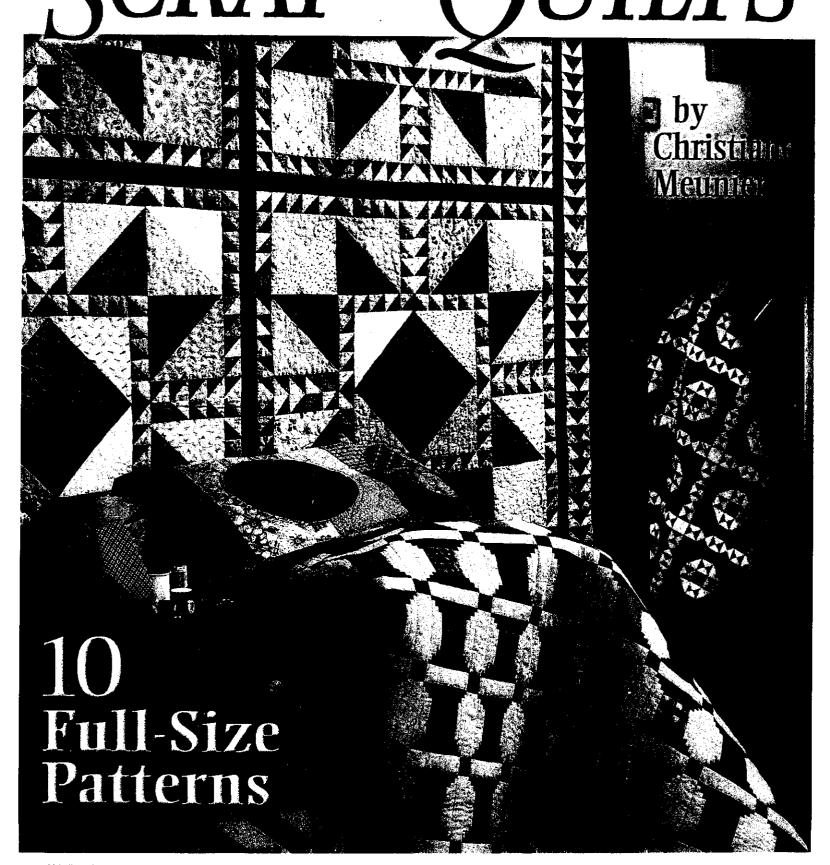
Because we already have a transparency for your quilt, you don't have to do anything at this time. Once we begin production, and quilts for the cover of the book are choosen, you might be contacted again. We appreciate your time and thank you for working with us.

Sincerely,

Connie Ellsworth Production Manager

EXHIBIT "K"

Case 3:05-cv-30109-MAP Document 26-13 Filed 05/16/2006 Page 2 of 5 \overline{Hew} of My Favorite **SCRAF UILTS**



Quilt Size: 54 1/2" square Block Size: 4" square

Materials

- 100 assorted prints, plaids, and stripes, each at least 3" square
- 25 brown prints, each at least 13" square
- 21 assorted black prints, each at least 3" square
- 2 1/3 yards muslin
- 1 3/4 yards black stripe for the border
- 2/3 yard black print for the binding
- 3 1/2 yards backing fabric
- 59" square of batting
- Foundation paper (optional)

Cutting

Dimensions include a 1/4" seam allowance.

 Cut 100: 3" squares, assorted prints, plaids, and stripes

From each brown print:

NOTE: Separate each group of 8 strips into 2 piles of 4.

- Cut 8: 3/4" x 4 1/2" strips
- Cut 8: 3/4" x 4" strips
- Cut 8: 3/4" x 3 1/2" strips

From the muslin:

 Cut 180: 1 1/2" x 4 1/2" strips, for the sashing

Just Spooling Around

- Cut 200: 3/4" x 4" strips
- Cut 200: 3/4" x 3 1/2" strips
- Cut 200: 3/4" x 3" strips

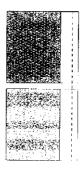
From the assorted black prints:

• Cut 81: 1 1/2" squares *Also:*

- Cut 4: 3 1/4" x 58" strips, black stripe, for the border
- Cut 6: 2 1/2" x 40" strips, black print, for the binding

Directions

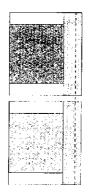
1. Stitch a 3/4" x 3" muslin strip to a 3" print square. Chain stitch a 3/4" x 3" muslin strip to each of the remaining 3" squares.



- 2. Clip the units apart.
- **3.** Chain stitch a 3/4" x 3" muslin strip to the opposite side of each square.
- **4.** Clip the units apart and press the seam allowances toward the muslin. Trim the seam allowances to 3/16".



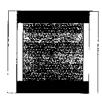
5. Chain stitch 3/4" x 3 1/2" brown print strips to the square units, as shown. Use only 4 strips of each brown print. Clip the units apart.



6. Chain stitch a 3/4" x 3 1/2" matching brown print strip to the opposite side of each unit.



- **7.** Clip the units apart and press the seam allowances toward the brown print. Trim the seam allowances to 3/16".
- **8.** Chain stitch 3/4" x 3 1/2" muslin strips to the muslin sides of each unit. Press and trim, as before.

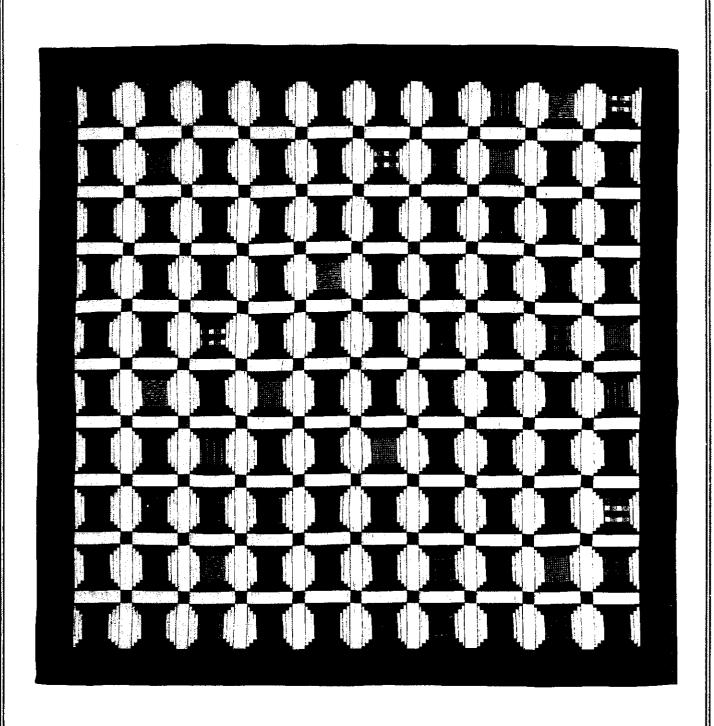


9. Chain stitch 3/4" x 4" matching brown print strips to each unit. (continued on page 15)

Just Spooling Around

Sandra Touchette Talbot of Longmeadow, Massachusetts, loves making scrap quilts. She used lots of plaid and stripe fabrics when creating "Just Spooling Around." Sandra says her plan was to make a wallhanging but she had so much fun making the blocks that it turned into a "quilt of 100 spools."

The quilt was expertly machine quilted by Janis Austin Gilbert.

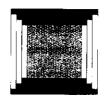


Just Spooling Around

(continued from page 10) Press and trim.



- 10. Chain stitch the 3/4" x 4" muslin strips to the muslin sides of each unit. Press and trim.
- 11. Chain stitch the 3/4" x 4 1/2" matching brown print strips to the remaining sides. Press and trim.



Assembly

- 1. Lay out the blocks in 10 rows of 10. Place the 1 1/2" x 4 1/2" muslin strips between the blocks. Place the 1 1/2" black print squares between the muslin strips.
- 2. Stitch the horizontal muslin strips and black print squares into sashing rows.
- 3. Stitch the blocks and vertical strips into rows.
- 4. Join the block rows and sashing rows.
- 5. Center and stitch the 3 1/4" x 58" black stripe strips to the 4 sides of the quilt. Start, stop, and backstitch at the 1/4" seamlines.
- 6. Miter the corners as described in the General Directions.
- 7. Finish the quilt as described in the General Directions, using the 2 1/2" x 40" black print strips for the binding.

Just Spooling Around Foundation Piecing

Cutting

Fabric for foundation piecing will be cut as you stitch the blocks. Each piece should be at least 1/4" larger on all sides than the section it will cover. You may prefer to cut the brown prints into 3/4" to 1"-wide strips before piecing the blocks. Cut 3/4" to 1"-wide muslin strips after cutting the sashing strips.

• Cut 100: 3" squares, assorted prints, plaids, and stripes, for the block centers

Directions

Follow the foundation piecing instructions in the General Directions to complete the blocks.

- 1. Piece each foundation in numerical order using the following fabrics in these positions:
 - 1 3" print, plaid,
 - or stripe square
 - 2, 3 muslin
 - 4, 5 brown print
 - 6, 7 muslin
 - 8, 9 same brown print
 - 10, 11 muslin
 - 12, 13 same brown print
- 2. Assemble the quilt as instructed in the pattern directions.
- 3. Gently remove the foundation paper after the border has been added.

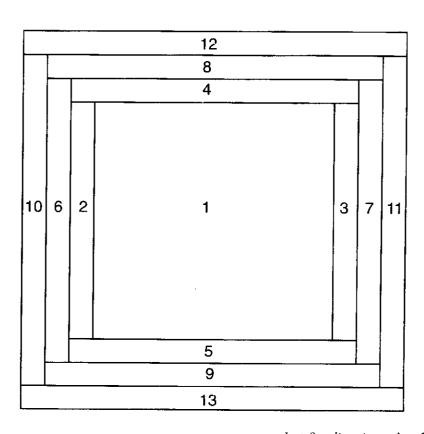
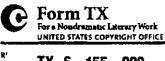


EXHIBIT ""



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America



TX 6 - 155 - 220

EFFECTIVE DATE OF REGISTRATION

				Month	Day Year
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Document 26-14

Filed 05/16/2006

Page 3 of 8

Case 3:05-cv-30109-MAP

February 11, 2005



OFFICE

CHITRA PUBLICATIONS ATTN: WENDY MULLINEAUX 2 PUBLIC AVE MONTROSE PA 18801

Control Number: 61-322-6010(C)

Re: A FEW OF MY FAVORITE SCRAP QUILTS

Dear Ms. Mullineaux:

LIBRARY OF CONGRESS

The application for this work names Christiane Meunier as the author of the "quilt patterns," but it appears from the book that other authors designed the quilts. If that is not correct, please explain fully. (I tried several times to reach you by phone to discuss this claim, but I could only get a recording at the number given on the application with no apparent way to leave a message. Please include a phone number where you can be reached with your reply.)

Washington D.C. 20559-6000 If each individual named in the book designed the associated quilt pattern, that individual would be the author of the design and would be the initial copyright claimant for that particular design. Under these circumstances, Ms. Meunier would own the copyrights for the quilt patterns only if the authors transferred the copyrights to her in writing.

Perhaps Ms. Meunier is author of the drawings used to illustrate how to make each quilt. Some of those illustrations are copyrightable. Or perhaps she is the author of the "compilation of quilt designs." (The copyright law defines a compilation as "a work formed by the collection and assembling of preexisting materials or of data that are selected, coordinated, or arranged in such a way that the resulting work as a whole constitutes an original work of authorship.")

Assuming Ms. Meunier cannot claim the quilt designs themselves, please amend the copy of the application returned to you, or complete a new one, omitting the claim in "quilt patterns." If Ms. Meunier is the author of the drawings, you can add a claim in "illustrative drawings" in space 2 under her name. If she is the author of the compilation, you can add "compilation of quilt designs."

If I have misunderstood the situation, explain in your reply.

CHITRA PUBLICATIONS **MONTROSE PA 18801**

Control No. 61-322-6010(C) February 11, 2005

Please reply within 120 days and return the enclosed Reply Sheet referring to our Control Number.

Note: The Copyright Office is experiencing some delays in receiving and processing mail, due to increased security measures. All mail, including U.S. Postal Service mail and shipments by private carriers such as Fedex, UPS, DHL, and Airborne Express, is screened before it is delivered to the Copyright Office.

> Sincerely, Wayne E. Crist, Senior Examiner Visual Arts Section By:

Enclosures: Photocopied application Form TX Reply Sheet

REPLY SHEET

PLEASE RETURN THIS SHEET WITH YOUR REPLY!

Control Number: 61-322-6010(C)

For: Copyright Office letter of February 11, 2005

WEC

To: CHITRA PUBLICATIONS

ATTN: WENDY MULLINEAUX

2 PUBLIC AVE

MONTROSE PA 18801

Re: A FEW OF MY FAVORITE SCRAP QUILTS

Reply time

The Copyright Office generally allows 120 days from the date of the postmark to receive a reply to our letter. If the Office establishes a different reply time, it will be stated in our letter.

Consequences of not replying to our letter regarding a pending registration

If we do not receive a reply within the reply time allowed, the case file will be closed. In this case:

- any unpublished work will be returned.
- published works may be forwarded for use in the collections of the Library of Congress or for disposition under the provisions of the current copyright law.
- your filing fee cannot be re-used.

To re-apply for registration after the case file is closed, you will have to submit new registration material (application, deposit, and fee). The effective date of registration will be based on the new submission.

Significance of the effective date of registration

Though registration is not a condition for securing copyright, delaying the effective date of registration can have serious consequences. In an infringement suit, a court may not award statutory damages or attorney's fees if the infringement began before the effective date of registration, unless registration was made within a grace period of 3 months following publication and the infringement started after first publication.



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the author given in space 2. ▼ Christiane Meunier

Complete this information ONLY if this work has been published,

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TWO DEPOSITS RECEIVED SEP 17 2004 FUNDS RECEIVED

42 Church Street, Apt A Montrose, PA 18801 TRANSFER If the claimant(s) named here in space 4 is (ate) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

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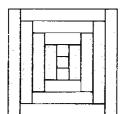
EXHIBIT "N"

Instructions: Courthouse Steps

Old-Fashioned Courthouse Steps (page 68)

This is a very traditional, scrappy Courthouse Steps in the Spool layout. For the border, long strips are added as if the body of the quilt were the center of a big Courthouse Steps block: two dark strips to opposite sides, then two light strips to the other sides, and so on. If you choose a planned arrangement of fabrics rather than scrappy, you can speed-piece the center and the first two light logs (page 19).

Quilt size Number of blocks	53" x 53" 25	Fabric required 2 yards total dark fabrics
Block size Log width	9" finished 1" finished	2 yards total light fabrics 2 1/4 yards backing fabric
Number of rounds Border	4 4 strips each 1" wide	1/2 yard binding fabric



Cutting instructions

Centers: Cut 25 squares 1 1/2" x 1 1/2".

Dark logs: Cut 50 sets.	Light logs: Cut 50 sets.
$1^{-1}/2'' \times 3^{-1}/2''$	$1^{-1/2}$ " x $1^{-1/2}$ "
$1^{-1}/2'' \times 5^{-1}/2''$	$1^{-1}/2$ " x $3^{-1}/2$ "
$1^{-1}/2$ " x $7^{-1}/2$ "	1 ¹ /2" x 5 ¹ /2"
$1^{-1}/2'' \times 9^{-1}/2''$	1 ¹ /2" x 7 ¹ /2"

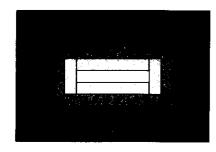
Border: Piece strips as indicated. Add in the order listed, lights on two opposite sides and darks on the other sides.

1 ¹ / ₂ " x 45 ¹ / ₂ "	2 light
1 ¹ /2" x 47 ¹ /2"	2 dark, 2 light
$1^{-1}/2$ " x 49 $^{-1}/2$ "	2 dark, 2 light
$1^{-1}/2$ " x $51^{-1}/2$ "	2 dark, 2 light
$1^{-1}/2$ " x 53 $^{-1}/2$ "	2 dark

Shaded Placemats (page 69)

Each placemat is a single rectangular Courthouse Steps block, in a shaded series of fabrics. Use the machine quilt-as-you-go method described on page 153. The binding is 1" wide finished, so that it looks like the final round of logs.

Quilt size	13" x 18"
Number of blocks	one per placemat
Block size	11" x 16" finished
Log width	1" finished
Number of rounds	5



Cutting instructions

Centers: Cut 4 strips 1 1/2" x 6 1/2" from fabric A,

Logs: Cut 8 sets from the fabrics listed. The logs are listed in the same order they are added to the block.

fabric B	$1^{-1}/2$ " x $6^{-1}/2$ "
fabric B	$1^{-1}/2$ " x $3^{-1}/2$ "
fabric C	$1^{-1}/2$ " x $8^{-1}/2$ "
fabric C	1 ¹ /2" x 5 ¹ /2"
fabric D	$1^{-1}/2$ " x $10^{-1}/2$ "
fabric D	1 ½" x 7 ½"
fabric E	$1^{1}/2$ " x $12^{1}/2$ "
fabric E	$1^{-1}/2$ " x $9^{-1}/2$ "
fabric F	$1^{1}/2$ " x $14^{1}/2$ "
fabric F	1 ½" x 11 ½"

Fabric required for four identical placemats

1/8 yard fabric A (lightest)
1/4 yard fabrics B, C, and D

¹/₃ yard fabric E ¹/₂ yard fabric F

³/₄ yard fabric G (darkest) for binding

1 yard Pellon®

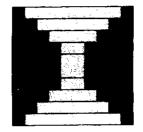
1 yard backing fabric

Batting and backing: Cut 4 pieces of each 16" x 22". After assembling the block on the batting and backing, trim so that batting and backing extend 3/4" beyond the raw edges of the block.

Binding: Cut 7 strips each 2 ³/₄" x 42" and sew together end-toend for single-fold binding that finishes 1" wide. See page 153 for binding instructions.

Scrappy Spools (page 67; diagram on page 38)

The blocks for this quilt were constructed using the machine quilt-as-yougo technique; see page 153. After the blocks were joined, I decided not to hand-finish the back. Instead, I simply laid the top on the backing, basted around the edges, and added the binding. This covered the raw edges on the back, and since the quilt is a wall hanging it doesn't matter that the backing is attached to the quilt only at the edges.



Fabric required 40" x 40" Ouilt size 1 1/2 yard black fabric Number of blocks scraps of various fabrics in Block size 12 1/2" finished 1 1/4" finished Log width

9 different colors (includes binding)

1 ½ vards backing fabric

Cutting instructions

Number of rounds 4

Centers: Cut one square 3" x 3" in each of the 9 different colors.

Color logs: Cut 2 sets from one fabric, for each of the 9 colors (= 18 sets).

1 3/4" x 3" $1^{3}/4$ " x $5^{1}/2$ " 1 3/4" x 8" $1^{-3}/4$ " x $10^{-1}/2$ " Black logs: Cut 18 sets. $1^{3}/4$ " x $5^{1}/2$ " 1 3/4" x 8" 1 ³/₄" x 10 ¹/₂" 1 ³/₄" x 13"

Binding: Cut 10" x 3 1/4" pieces of a variety of prints; sew together with diagonal seams. Trim the outer edges of the quilt so the backing and batting extend 1" beyond the raw edges of the quilt top, for binding that finishes 1 1/4" wide. See page 153.

Yellow Spools (page 70; diagram on page 140)

Sashing strips, unusual in log cabin quilts, are used here to isolate the Courthouse Steps Spool blocks. The border includes both regular log cabin and Courthouse Steps blocks.

71" x 71" Quilt size

Number of blocks 9 Spool blocks, 28 log cabin blocks, 4 Courthouse Steps blocks

13" finished Spool blocks, 7" finished border blocks Block size

1" finished Log width

Number of rounds 3

2", 2" x 2" yellow set blocks Sashing

3" inner border, 7" pieced border, 4" outer border Border

Fabric required

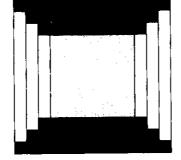
1/4 yard each of 9 yellow fabrics

1 ½ yards total of 8 or more medium brown fabrics

1 3/4 yards background fabric, including sashing and inner border

1 yard outer border fabric 4 1/2 yards backing fabric

1/2 yard binding fabric



Cutting Instructions NOTE: The inner border strips and the background logs are cut from the same fabric. Cut the inner border strips first, cutting them parallel to the selvages so you won't have to piece them.

SPOOL BLOCKS

Centers: Cut 9 from different yellows, $7 \frac{1}{2}$ " x $7 \frac{1}{2}$ ".

Dark logs: Cut 18 sets from a variety of browns.

 $1^{-1}/2^{-1} \times 9^{-1}/2^{-1}$ 1 1/2" x 11 1/2" 1 1/2" x 13 1/2" Light logs: Cut 18 sets from background fabric. 1 ½" x 7 ½" 1 ½" x 9 ½" 1 1/2" x 11 1/2"

SASHING AND BORDERS

Sashing strips: Cut 12 pieces 2 1/2" x 13 1/2" from background fabric.

Set blocks: Cut 4 squares 2 1/2" x 2 1/2" from 4 yellow fabrics.

Inner border: Cut 2 strips 3 1/2" x 43 1/2" and 2 strips 3 1/2" x 49 1/2" from

background fabric. If you cut these before you cut the background logs, you can

cut them parallel to the selvages and avoid piecing them.

Outer border: Piece 2 strips $4^{1}/2^{11}$ x $63^{11}/2^{11}$, and 2 strips $4^{11}/2^{11}$ x $71^{11}/2^{11}$.

PIECED BORDER BLOCKS

Piece 28 log cabin blocks and 4 Courthouse Steps blocks.

Light logs: Cut the number indicated from background fabric.

- 1 ¹/2" x 1 ¹/2" 1 ¹/2" x 2 ¹/2" 1 ¹/2" x 3 ¹/2" 28 40 $1^{-1}/2'' \times 4^{-1}/2''$ 28 1 ½" x 5 ½" 40
- $1^{-1}/2$ " x 6 $^{-1}/2$ " 28 $1^{-1}/2$ " x $7^{-1}/2$ " 4

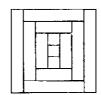
Dark logs: Cut the number indicated from a variety of browns.

- 1 1/2" x 1 1/2" (centers)
 1 1/2" x 2 1/2"
 1 1/2" x 3 1/2"
 1 1/2" x 4 1/2"
- 28
- 32
- 28
- $1^{-1}/2$ " x $5^{-1}/2$ " 32 $1^{-1}/2$ " x 6 $^{-1}/2$ "
- 28 32
 - $1^{-1}/2$ " x $7^{-1}/2$ "

Border blocks



log cabin



Courthouse Steps

Amish Spools (page 67)

The Spool block from the Yellow Spools quilt was scaled down here for a wall hanging.

32" x 32" Quilt size

Number of blocks 9 6 1/2" finished Block size 1/2" finished Log width

Number of rounds 3 1" Sashing

1" accent border, Border 3" outer border

Fabric required

1/4 yards or scraps of solid-color fabrics, in dark + light pairs for 9 blocks

1 ½ yards black fabric (includes sashing and

outer border) 1 yard backing fabric 1/2 yard binding fabric

Cutting instructions

Centers: Cut 9 squares 4" x 4".

"Spool" logs: Cut 2 sets for each spool block = 18 sets.

1" x 5" 1" x 6" 1" x 7"

Background logs: Cut 18 sets from black.

1" x 4" 1" x 5" 1" x 6"



Sashing: Cut 6 strips $1^{-1}/2^{-1}$ x 7" and 2 strips $1^{-1}/2^{-1}$ x 22" from black.

Inner border: Cut 2 strips 1 ½" x 22" and 2 strips 1½" x 24" from black.

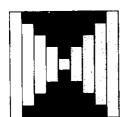
Accent border: Cut 2 strips 1 ½" x 24" and 2 strips 1 ½" x 26" from one of the solid colors.

Outer border: Cut 2 strips 3 ½" x 26" and 2 strips 3 ½" x 32" from black.

Courthouse Stars (page 69)

With its large unpicced squares and rectangles, this quilt top that can be quickly assembled. Use an active print for the unpieced background areas, as Karen did, or use a solid fabric and fill it with hand quilting.

Quilt size Number of blocks Block size Log width Number of rounds Border	62" x 62" 16 9" finished 1" finished 4	Fabric required 2 yards medium fabric for background 2 ¹ / ₄ yards dark fabric for star points and border ³ / ₄ yard light fabric 4 yards backing fabric ¹ / ₂ yard binding fabric
---	--	--



Cutting instructions

Speed piece the centers and the first pair of dark logs. Make 1 1/2 strip units from 1 1/2"-wide selvage-to-selvage cuts of medium background fabric and dark fabric, as illustrated. Press seam allowances toward the dark fabric strips. Make 32 crosscuts each 1 1/2" wide.

Dark logs: Cut 32 sets from	Medium logs: Cut 16 sets from	Light logs: Cut 16 sets
dark fabric.	medium background fabric.	from light fabric.
1 ½" x 3 ½"	$1^{-1}/2^{-1} \times 3^{-1}/2^{-1}$	$1^{-1}/2$ " x $3^{-1}/2$ "
$1^{1/2}$ ' x 5 $1/2$ "	$1^{-1}/2$ " x $5^{-1}/2$ "	$1^{-1}/2'' \times 5^{-1}/2''$
$1^{-1/2}$ " x $7^{-1/2}$ "	$1^{-1}/2$ " x $7^{-1}/2$ "	$1^{-1}/2$ " x $7^{-1}/2$ "
1 /2 X / /2	$1^{-1}/2'' \times 9^{-1}/2''$	$1^{-1}/2$ " x $9^{-1}/2$ "

Border strips: Piece 2 strips 4 1/2" x 54 1/2" and 2 strips 4 1/2" x 62 1/2".

Fish Maze (page 68)

This pillow top is made of four small Spiral Courthouse Steps blocks with sashing strips to complete the design. Use a pillow form in a size slightly larger than the cover for a plump and smooth pillow.

Pillow size Number of blocks Block size Log width Border	17" x 17" 4 5" finished 1" finished 1" sashing strips and inne 2" outer border (or as des		1/2 3/2 18	c required yard light yard dark "pillow fo	fabric fabric (inclu	ıdes pillow	back)
Cutting instruction NOTE: Cut your pipillow border. Cut remaining fabric.	llow back first, then the	A	+ + +	+	+ - +		1.
Logs: Cut 4 sets from light. 1 '/2" x 1 '/2" (condition 1 '/2" x 2 '/2" 1 '/2" x 3 '/2" 1 '/2" x 4 '/2" 1 '/4" x 5 '/4" (condition 1 '/2" x 4 '/2" 1 '/4" x 5 '/4" (condition 1 '/4" x 5 '/4" x 5 '/4" (condition 1 '/4" x 5 '/4" x 5 '/4" (condition 1 '/4" x 5 '/4" x		В			-		E
	illustrated; piece 2 of A						
5 ½". From dark ct 11 ½". <i>Inner border:</i> Fron x 11 ½" and 2 strip	n light cut 2 strips 1 ½" os 1 ½" x 13 ½". n dark cut 2 strips 2 ½"				→		

EXHIBIT "M"



Credits

Photography

Mark Frey

Illustrations

Chuck Eng, Janet Kime

Rochelle Munger Hand model

Photograph of the author by Ted Larson. Cover design by Chuck Eng.

Acknowledgments

Many thanks to those of my students, family, and friends who completed quilts for this book, sometimes under duress! Your suggestions and good humor were always appreciated.

Joel Patz, Virginia Morrison, and Ken Etzkorn read the manuscript and made valuable comments.

Thanks also to Dick Newcomb, The Guru of Grammar. My deepest gratitude to Marilyn Doheny, my first, best, and favorite quilting teacher, for her continuing encouragement and support.

Quilts not otherwise identified are by the author. The following people generously allowed the quilts they own to appear in this book: Barbara Felker, Don and Rachel Goldstein, Tom and Margaret Hodnett, Ric Hoffman, Donna Klemka and Martin Baker, Lindsay Michimoto, Sharon Redeker, and Connor Tee.

Front cover: Vashon Interweave, page 107.

Back cover: Red Hot Stars, 1991, 55" x 64". Directions on page 132.

Log Cabins: New Techniques for Traditional Quilts© ©1992 by Janet Kime



Cutting Edge Quilt Designs, Inc. P.O. Box 75 Edmonds, Washington 98020

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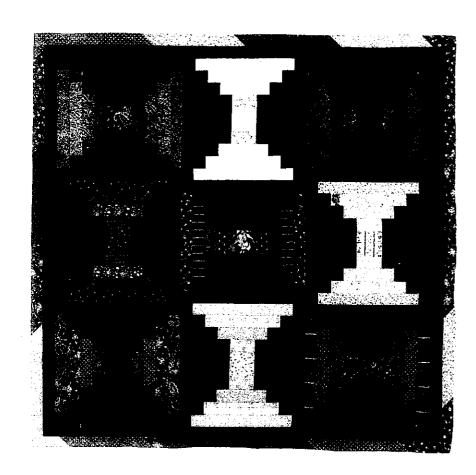
Log Cabins / Janet Kime; [photography, Mark Frey; illustration and graphics, Chuck Eng, Janet Kime].

p. cm.

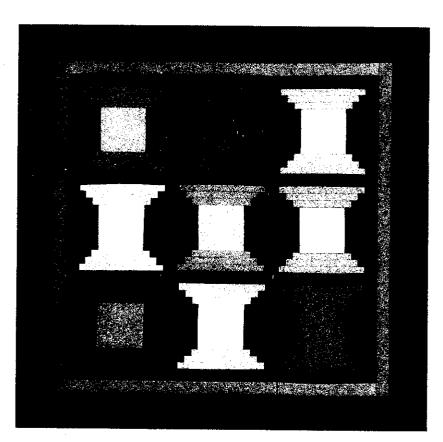
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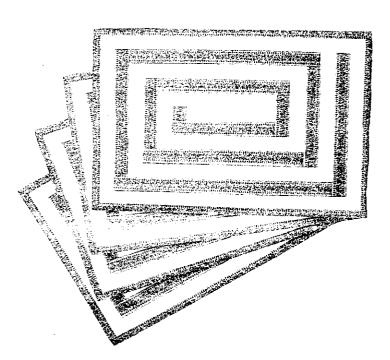
EXHIBIT "O"



Scrappy Spools, 1989, 42" x 42". Bright primary colors against black make a vivid wall quilt. Assembled by the machine quilt-as-you-go technique. Instructions on page 42.



Amish Spools by Virginia Morrison, Seattle, Washington, 1991, 32" x 32". Small Courthouse Steps blocks (the logs are only ½" finished) in Amish solids. Instructions on page 43.



Spiral Placemats, 1992, 13" x 19". The machine quilt-as-you-go technique makes these placemats a quick project. Instructions on page 47.

Yellow Spools by Lorraine Herge, Concord, North Carolina, and Janet Kime, 1991, 71" x 71". Sashing strips separate Courthouse Steps blocks that imitate spools of thread. The striking border is a combination of log cabin and Courthouse Steps blocks. Instructions on page 42.

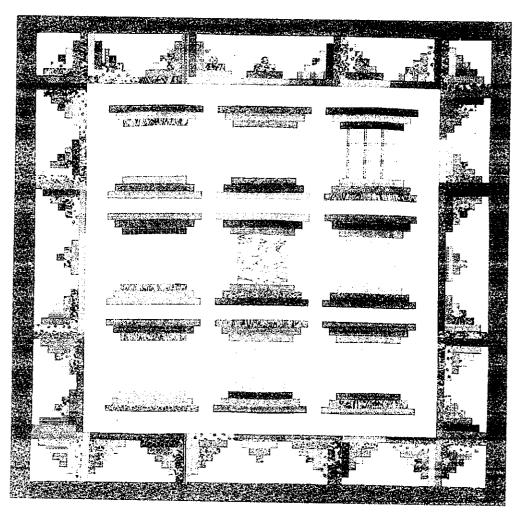


EXHIBIT 66P"

LOG CABIN "SPOOLS"

Jo Ann Pelletier 413-567-7146

The basic pattern is from "log Cabins" by Janet Kime.

The spools will need "sashing" between them to have them really stand out! You might want the same width as the "logs" in the spools OR wider - experiment!

Several different size blocks follow -The %" seam is very important on the 1" and 3/4" logs - a good challenge for you!

BLOCK	CENTER SQUARE	LOG WIDTE	PIRST ROUND		THIRD
SIZE		cut 1½"	9½" sq.	114° sq.	13 ¹ ;" sq.
13" (13½")	cut 75" aq	CAC 13			7" sq.
6½" (7")	cut 4" sq.	out 1"		6" sq.	
54" (5 3/4")	2 3/4" sq	cut 1"			5 3/4" sq.
	0.045	cut 3/4" cut the 1"	3½" sq.	3 3/4" sq. size!)	4½ sq.

CONSTRUCTION

The block is a "courthouse steps" construction. Cut the "center" square (I like to use stripes with the lines going "around" to look like thread).

I haven't given the size logs to cut, because I found it easier to "square" the blocks after sewing each round. The size to square the block is given in the chart above. Any slight "mistake" can be corrected, making the block come out very accurate.

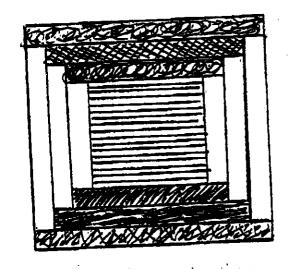
You will need spool, thread, and backgound fabrics. A scrap look can be used on the spool part if you would like (makes more interest).

Start by sewing a "background" log to each side, then a "spool" log to the top and bottom. Check the "size" and square the block. Repeat for the second round, square the block. Then the last round, square the block, and everything should be very accurate.

Add "sashing" or use the spools in a border.

51/4" ONLY





ore on 3 3/4 ONLY

Thim "4" seem down to "18" on this one only (after sew ne

PEL 025

Case 3:05-cy-30109-MAP Document 26-18 Filed 05/16/2006
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CASE 3:05-cy-30109-MAP Document 26-18 Filed 05/16/2006
CASE 3:05-cy-30109-MAP Document 26-18 Filed 05/16/2006 Denn Fellelle 413 5677146 to be used in - L.C. SAMPLER-12 finished block - MADE (12/2" incl 1/4" peams) WITH 4 spools 4,6" blocks cut 3/2" contec" THREADS"

cut logo 1" wide (finish 1/2") Courthouse step Construction Make 4 spools that will finish to free be 6" square grown (6/2" incl /4" sesomo) 6" (6/2" incl /4 per Round 1 - 4/2" 29

EXHIBIT "Q"

Tel: (570) 278-1984 Fax: (570) 278-2223

2 Public Avenue, Montrose, PA 18801-1220

e-mail: chitra@epix.net www.QuiltTownUSA.com

September 29, 2004

Deborah A. Basile
Doherty, Wallace, Pillsbury and Murphy, P.C.
Attorneys at Law
One Monarch Place, Suite 1900
Springfield, MA 01144-1900

Dear Ms. Basile:

I just received your letter describing Ms. JoAnn Pelletier's concern about copyright infringement. As you stated in your letter, you are correct in assuming there is a contract in which Ms. Sandra Talbot gave Chitra Publications the right to publish a photograph and pattern of her quilt entitled "Just Spooling Around." However, in that contract Ms. Talbot did not claim it as her original design. Instead, she wrote that it is her interpretation of the Courthouse Steps pattern. This traditional pattern has been in the public domain for nearly two centuries.

Enclosed is a photocopy of an antique Courthouse Steps quilt that was made circa 1870. I have seen numerous others in which the size of the pieces vary. The slight difference between Ms. Talbot's Courthouse Steps blocks and the antique version is that hers are separated with sashing and cornerstones. Virtually millions of other quilts made with traditional blocks are separated in a similar way. Neither Ms. Talbot nor Ms. Pelletier can make claims to owning the copyright to this traditional pattern. It is also valid to note that Ms. Pelletier did not even make a quilt from the traditional block to which she is claiming the copyright.

It is clear that this is a personal matter to be settled between Mrs. JoAnn Pelletier and Mrs. Sandra Talbot, but not with Chitra Publications.

Sincerely,

Christiane Meunier, Publisher

Cc: Sandra Talbot

IN THE UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS WESTERN DIVISION

JOANN PELLETIER Plaintiff

٧.

: CIVIL ACTION NO. 05-30109 MAP

SANDRA TALBOT and

CHITRA PUBLICATIONS, et. al., Defendants

CERTIFICATE OF SERVICE

I, Joseph D. Buckley, Esquire, hereby certify that a true and correct copy of the foregoing pleading in the above captioned matter was served on the following persons by means of United States First Class Mail, postage prepaid:

Claire L. Thompson, Esquire Doherty, Wallace Pillsbury & Murphy, P.C. Cantor Colburn LLP One Monarch Place, Suite 1900

Springfield, MA 01144-1900

Steven M. Colye, Esquire 55 Griffin Road South Bloomfield, CT 06002

Maurice M. Cahillane, Jr. Egan, Flanagan & Cohen P.C. 67 Market Street P.O. Box 9035 Springfield, MA 01102-9035

Date: 5 - 15 - 06

Joseph D. Buckley, Esquire

Attorney for Defendants Chitra Publications, Chariot Publishing, Inc., and Christiane Meunier

d/b/a Moon Over Mountian